



## 2001 SENATE BILL 430

February 7, 2002 – Introduced by LAW REVISION COMMITTEE. Referred to Committee on Judiciary, Consumer Affairs, and Campaign Finance Reform.

1     **AN ACT** *to amend* 19.43 (4); and *to create* 19.42 (7w) (cs) of the statutes;  
2             **relating to:** coverage of certain members of district boards of local professional  
3             baseball park districts under the code of ethics for local public officials and filing  
4             of statements of economic interests by candidates for joint municipal  
5             judgeships (suggested as remedial legislation by the ethics board).

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### ***Analysis by the Legislative Reference Bureau***

This bill makes one change to the code of ethics for state public officials and one change to the code of ethics for local public officials. The changes are:

#### ***Coverage of certain members of baseball park district boards***

Currently, the members of the district board of a local professional baseball park district are either appointed by the governor to serve for a term specified by law or appointed by various local elective officials to serve at the pleasure of those officials. Members of a district board who are appointed by the governor are subject to the statutory code of ethics for local public officials, which prohibits certain specified conduct that would create a conflict of interest. In addition, all members of a district board are required to adhere to additional standards of conduct that parallel the standards required of state public officials.

This bill requires those members of the district board of a local professional baseball park district who are appointed by local elective officials to adhere to the same standards of conduct that are currently applicable to other local public officials, including other members of a district board.

**SENATE BILL 430*****Statements of economic interests by candidates for joint municipal judgeships***

Currently, candidates for the office of municipal judge are required to file statements of economic interests containing certain information with the state ethics board. Municipal clerks and boards of election commissioners are prohibited from certifying the names of candidates for the office of municipal judge for placement on the ballot at an election until the candidates have complied with this requirement. Currently, two or more municipalities may create a joint municipal judgeship. In that case, the filing officer or agency that certifies the names of the candidates for placement on the ballot is the county clerk or board of election commissioners of the county having the largest portion of the population within the jurisdiction served by the municipal judge.

This bill prohibits a county clerk from certifying the name of a candidate for the office of municipal judge serving two or more municipalities until the candidate has filed a statement of economic interests containing the required information with the state ethics board.

For further information, see the NOTES provided by the law revision committee of the joint legislative council.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the ethics board and introduced by the law revision committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1           **SECTION 1.** 19.42 (7w) (cs) of the statutes is created to read:  
2           19.42 (**7w**) (cs) The position of member of the district board of a local  
3 professional baseball park district under subch. III of ch. 229 not serving for a  
4 specified term.

NOTE: Members of the board of a local professional baseball park district are appointed in one of two ways. They can be appointed by the governor to serve a term specified by law, or they can be appointed by specified local officials to serve at the officials' pleasure. Under current law, board members are subject to different ethical requirements depending on how the board member is appointed. Though all board members must comply with ethical standards that parallel the standards for state public officials, only those appointed by the governor are subject to the statutory code of ethics for local public officials. SECTION 1 requires board members appointed by local officials to comply with the code of ethics for local public officials.

5           **SECTION 2.** 19.43 (4) of the statutes is amended to read:

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1           19.43 (4) A candidate for state public office shall file with the board a statement  
2 of economic interests meeting each of the requirements of s. 19.44 (1) no later than  
3 4:30 p.m. on the 3rd day following the last day for filing nomination papers for the  
4 office which the candidate seeks, or no later than 4:30 p.m. on the next business day  
5 after the last day whenever that candidate is granted an extension of time for filing  
6 nomination papers or a declaration of candidacy under s. 8.05 (1) (j), 8.10 (2) (a), 8.15  
7 (1) or 8.20 (8) (a), no later than 4:30 p.m. on the 5th day after notification of  
8 nomination is mailed or personally delivered to the candidate by the municipal clerk  
9 in the case of a candidate who is nominated at a caucus, or no later than 4:30 p.m.  
10 on the 3rd day after notification of nomination is mailed or personally delivered to  
11 the candidate by the appropriate official or agency in the case of a write-in candidate  
12 or candidate who is appointed to fill a vacancy in nomination under s. 8.35 (2) (a).  
13 The information contained on the statement shall be current as of December 31 of  
14 the year preceding the filing deadline. Before certifying the name of any candidate  
15 for state public office under s. 7.08 (2) (a), the elections board, county clerk, municipal  
16 clerk or board of election commissioners shall ascertain whether that candidate has  
17 complied with this subsection. If not, the elections board, county clerk, municipal  
18 clerk or board of election commissioners may not certify the candidate's name for  
19 ballot placement.

NOTE: A candidate for a municipal judgeship must file a statement of economic interest with the ethics board. Current law requires the elections board, the municipal clerk, or the board of election commissioners to ascertain whether the candidate has complied with this requirement, and prohibits those three bodies from certifying the candidate's name for ballot placement if the candidate has not complied. Elections for joint jurisdiction municipal court judges, however, are not necessarily administered by the elections board, the municipal clerk, or the board of election commissioners. The county clerk may have that responsibility. SECTION 2 subjects the county clerk to the same requirements as the elections board, the municipal clerk, and the board of election

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**SECTION 2**

commissioners: the county clerk must verify compliance and is prohibited from certifying the name of a candidate who fails to comply.

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(END)